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SINGLE DENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION (C) NO. 63 /2007

PETITIONER

: Smt. Mala Dubey
Wife of Dr. Shri T. N. Dubey
Aged about 37 years
Resident of Gitanjali Nagar
Gali No. 6, Tehsil and District
Bilaspur, Chhattisgarh

P.N. No. 136/07
Presented by: 361/07
dated: 01/10/07
Amrita Das

VERSUS

RESPONDENTS

- : 1. Smt. Vidya Devi
Wife of Shri Lakhan Lal Sharaf
Aged about 63 years
Resident of Gitanjali Nagar
Bilaspur, Chhattisgarh
2. Santosh Soni
Son of Jagannath Soni
Aged about 42 years
Resident of Gitanjali Nagar
Bilaspur, Chhattisgarh
3. Tulsi Bai
Wife of Navrang Agrawal
Aged about 47 years
Resident of Near Karbala
Chowk, Bilaspur, Chhattisgarh
4. Ramu Dewangan
Son of Shri Nakul Dewangan
Aged about 34 years
Resident of Near Karbala Chowk
Bilaspur, Chhattisgarh
5. Vijay Verma
Son of Mangal Verma
Aged about 35 years
Resident of Near Karbala Chowk
Bilaspur, Chhattisgarh
6. Collector Bilaspur, Dist. Bilaspur
Chhattisgarh

**WRIT PETITION UNDER ARTICLE 227 OF THE CONSTITUTION
OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT IN THE
NATURE OF MANDAMUS, CERTIORARI AND FOR ISSUANCE OF**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22.1.2007: Mr. Amrito Das counsel for the petitioner. This petition is directed against the order dated 13.12.2006 passed by Civil Judge, Class -I Bilaspur in Civil Suit No. 247-A/2005 where an application for amendment in the written statement has been allowed by the trial Court on the ground that the amendment sought is consequential to the amendment preferred by the plaintiff in the plaint. Learned counsel for the petitioner submits that the plaintiff opted for consequential amendment in the plaint in the light of the same amendment which was permitted in the written statement. However, by the impugned order the defendant has been permitted again to amend his written statement in the garb of consequential amendment in the written statement which is not permissible under law and if this process is permitted it will never end. I have heard counsel for the petitioner and perused the impugned order whereby the application for amendment in the written statement has been allowed. Considering the nature of the amendment allowed by the impugned order this court is of the opinion that no injustice is likely to occasion to the petitioner by the impugned order which requires interference from this Court under Article 227 of the Constitution of India. Thus the petition has no substance and the same is therefore likely to be dismissed. It is accordingly dismissed.	

Sd/-
Dhirendra Mishra
Judge

P.T.O.